

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:21-cv-00372-RJC-DSC**

JOE HAND PROMOTIONS, INC.,)
)
 Plaintiff,)
)
 v.)
)
 AROMA CIGARS LLC and)
 NASIYR BEY)
)
 Defendant.)
 _____)

ORDER

THIS MATTER comes before the Court sua sponte. For the reasons set forth below, Plaintiff is **ORDERED** within twenty-one (21) days of the entry of this Order to file proof of service as to each Defendant in accordance with Rule 4. Failure to do so will cause the Court to dismiss this case.

Pursuant to Rule 4(l) of the Federal Rules of Civil Procedure, unless service is waived, proof of service must be made to the court. Further, “[i]f a defendant is not served within 90 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against that defendant or order that service be made within a specified time.” Fed. R. Civ. P. 4(m). Plaintiff filed this action against Defendant on July 26, 2021 and summons to each Defendant were issued that same day. (Doc. Nos. 1 & 4). Under Rule 4(m), Plaintiff was required to serve Defendants within 90 days after filing the complaint, here, by October 25, 2021. To date, Plaintiff has not filed proof of service or waiver of service.

THEREFORE, Plaintiff is **ORDERED** within twenty-one (21) days of the entry of this Order to file proof of service as to each Defendant in accordance with Rule 4. Failure to do so will cause the Court to dismiss this case.

SO ORDERED.

Signed: November 16, 2021

A handwritten signature in black ink, reading "Robert J. Conrad, Jr.", written over a horizontal line.

Robert J. Conrad, Jr.
United States District Judge

